

08/432280

Assignee: HydroWorx International, Inc.

Serial or Patent No. : _____

Filed or Issued : _____

For: HYDROTHERAPY AND EXERCISE DEVICE WITH INTEGRATED LIFT AND
TREADMILL MEANS

Bruce J. Clark

Attorney's

Docket No.:

31,339

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) AND 1.27(c) - SMALL BUSINESS CONCERN

I hereby declare that I am

[] The owner of the small business concern identified below:

[XX] An official (Vice President) of the small business
concern empowered to act on behalf of the concern
identified below:

NAME OF CONCERN: HydroWorx International, Inc.

ADDRESS OF CONCERN: 500 North Union Street
Middletown, PA 17057

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party of parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled HYDROTHERAPY AND EXERCISE DEVICE WITH INTEGRATED LIFT AND TREADMILL MEANS by inventors Jay French and Roy Jansen described in:

[x] The specification filed herewith

[] Application serial no. _____,
filed _____.

Patent No. _____, issued _____.

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e). *Note: Separate verified statements are required from each named person, concern or organization having rights to

the invention averring to their status as small entities. (37 CFR 1.27)

NAME:

ADDRESS:

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT
ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. 37 CFR 1.28(b)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements or the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: Anson J. Flake
TITLE OF PERSON OTHER THAN OWNER: Vice President

ADDRESS OF PERSON SIGNING:
500 North Union Street
Middletown, PA 17057

Signature: *Anson J. Flake* Date: *April 26, 1995*

VERIFIED STATEMENT CLAIMING SMALL ENTITY
STATUS - INDEPENDENT INVENTOR

Inventors: Jay French
 Roy Janson
RT

Serial or Patent No. : _____ Docket No.: _____
 Filed or Issued : _____
 For: HYDROTHERAPY AND EXERCISE DEVICE WITH INTEGRATED LIFT AND
 TREADMILL MEANS

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
STATUS (37 CFR 1.9 (f) AND 1.27 (b) - INDEPENDENT INVENTOR

As the below-named inventors, we hereby declare that we qualify as independent inventors as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled HYDROTHERAPY AND EXERCISE DEVICE WITH INTEGRATED LIFT AND TREADMILL MEANS described in

- ☒ The specification filed herewith
☐ Application serial no. _____,
 filed _____.
☐ Patent no. _____, issued _____

We have not assigned, granted, conveyed or licensed and are under no obligation under contract or law to assign, grant, convey or license, any rights in the invention, or to any person who could not be classified as an independent inventor under 37 CFR 1.9 (c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which we have assigned, granted, conveyed, or licensed or are under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- ☐ No such person, concern or organization
☒ Persons, concerns, or organizations listed below
 Note: Separate verified statements are required from each person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

FULL NAME: HydroWorx International, Inc.
 ADDRESS: 500 North Union Street
 Middletown, PA 17057

☐ INDIVIDUAL ☒ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION
 We acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due


after the date on which status as small entity is no longer appropriate. (37 CFR 1.28 (b))

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

JAY FRENCH
NAME OF INVENTOR

^{RJ}
ROY JANSON
NAME OF INVENTOR


SIGNATURE OF
INVENTOR


SIGNATURE OF
INVENTOR

April 26, 1995
DATE

April 26, 1995
DATE

Bruce J. Clark, Attorney Number 31,339

Doc #84220

**DECLARATION AND POWER OF
ATTORNEY - ORIGINAL APPLICATION**

Bruce J. Clark, Attorney
Attorney's No. 31,339

As the below-named co-inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled HYDROTHERAPY AND EXERCISE DEVICE WITH INTEGRATED LIFT AND TREADMILL MEANS the specification of which

(check one)

[XX] Is attached hereto
[] Was filed on _____ as
Application Serial No. _____
and was amended on _____
(if applicable)

I hereby state that I have reviewed and understand the content of the above-identified specification, including the claims, as amended by any amendment referred to above.

I further state that HydroWorx International, Inc. of Middletown, Pennsylvania, is the assignee and owner of the invention, including all rights, title and interest in the invention.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)	Priority	Claimed
<u>None</u>	N/A	N/A
Number Country Date/Month/Year Filed		

(3)

POWER OF ATTORNEY: As a named inventor, I hereby appoint Bruce J. Clark, Registration No. 31,339, Commerce Bank Building Downtown, 100 East 9th St., P.O. Box 3555, Topeka, Kansas 66601, as attorney to prosecute this Application and transact all business in the Patent and Trademark office connected therewith.

Send correspondence to

Bruce J. Clark,
Wright, Henson, Somers, Sebelius,
Clark & Baker, LLP
Commerce Bank Building Downtown
100 E. 9th Street, P. O. Box 3555,
Topeka, Kansas 66601-3555
(913) 232-2200 KS

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Inventor

Date April 26, 1995

Jay French
11-00
Residence: 6 Hillcrest Lane
Elizabethtown, PA
Citizenship: U.S.A.

Inventor

Date April 26, 1995

Roy Janson
2-00
Residence: 311 Crest Drive
Clarks Summit, PA
Citizenship: U.S.A.

Doc #84220

POWER OF ATTORNEY: As a named inventor, I hereby appoint Bruce J. Clark, Registration No. 31,339, Commerce Bank Building Downtown, 100 East 9th St., P.O. Box 3555, Topeka, Kansas 66601, as attorney to prosecute this Application and transact all business in the Patent and Trademark office connected therewith.

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100 E. 9th Street, P. O. Box 3555
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(913) 232-2200 ^{KS}

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HydroWorx International, Inc.

Date

April 26, 1995

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Anson J. Flake
Anson J. Flake, Vice President ✓
Residence: 500 N. Union Street
Middletown, PA 17057
Citizenship: U.S.A. PA